

**MINUTES  
PIERCE COUNTY COUNCIL MEETING  
DECEMBER 3, 2002**

WALLER ROAD ELEMENTARY SCHOOL  
6312 WALLER ROAD EAST  
TACOMA, WASHINGTON  
(COUNCIL DISTRICT NO. 2)

(253) 798-7777 -- FAX: (253) 798-7509 -- TDD: (253) 798-4018  
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**(Note: These minutes are not verbatim. Recorded tapes are available upon request.)**

**I. CALL TO ORDER**

The District No. 2 meeting of the Pierce County Council was called to order at 7:05 p.m. by Chair Moss.

**II. PLEDGE OF ALLEGIANCE TO THE FLAG**

The pledge was led by Moss.

**III. ROLL CALL**

Councilmembers Present: Wendell Brown, Calvin Goings, Harold Moss, Pat O'Malley, and Kevin Wimsett; Karen S. Biskey and Jan Shabro were excused.

Council Staff Present: Anna Graham, Research Analyst; Gerri Johnson, Administrator/Clerks & Operations; Susan Long, Legal Counsel; Tom Weber, Administrator/Research & Policy; and Christine Wilson, Councilmember Assistant.

There were approximately 67 visitors present.

**IV. APPROVAL OF AGENDA**

O'Malley moved approval of the Agenda; motion seconded and passed on a voice vote.

Moss passed the gavel to Host Councilmember Goings, stating that he would be excusing himself from the meeting as he had just returned from a lengthy trip. Moss was then excused from the meeting. Goings introduced Councilmembers and Staff, and welcomed visitors.

**V. CONSENT AGENDA**

- a. Approval of Minutes
  1. The minutes of the November 5, 2002, regular Council meeting.
  2. The minutes of the November 12, 2002, regular Council meeting.
- b. Action on Ordinances (refer, set date of hearing)
  1. PROPOSAL NO. 2002-122, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL DECLARING CERTAIN COUNTY-OWNED PERSONAL PROPERTY TO BE SURPLUS, AND AUTHORIZING THE SALE THEREOF. (VOTING EQUIPMENT)  
Sponsored by: Councilmember Harold Moss  
Contact person: Michael Clark, 798-7730  
DO PASS RECOMMENDATION - RULES & OPERATIONS COMMITTEE (Harold Moss, Chair; Pat O'Malley, Vice Chair/excused; Wendell Brown, Member)  
Suggested date of Council hearing: January 7, 2003
  2. PROPOSAL NO. 2002-131, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL GRANTING A NONEXCLUSIVE FRANCHISE TO CITY OF TACOMA, A MUNICIPAL CORPORATION, FOR LOCATION OF RAILROAD TRACKS ON CERTAIN COUNTY-OWNED RIGHTS-OF-WAY; AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FRANCHISE.  
Sponsored by: Councilmember Pat O'Malley  
Contact person: Jerry West, 798-3687  
For referral to the Public Works Committee
- c. Action on Resolutions (refer, set date of hearing)
- d. Other Items  
Motion to certify the following Budget Certifications, and instruct the Clerk of the Council to forward the Certifications to the Pierce County Assessor-Treasurer's Office, pursuant to Revised Code of Washington 84.52.020:
  - Board of Trustees (Rural Library, Regular Levy, EMS Levy)
  - City of Bonney Lake (Cities/Towns)
  - City of Edgewood
  - City of Fircrest (Cities/Towns & Emergency Medical Service)
  - City of Gig Harbor (Cities/Towns)
  - City of Milton (Cities/ Towns)
  - City of Orting (Cities/Towns & Emergency Medical Service)
  - City of Pacific (Cities/Towns)
  - City of Roy (Cities/Towns)
  - City of Sumner (Cities/Towns & Emergency Medical Service)
  - City of University Place (Cities/Towns)
  - Clover Park School District #400
  - Fire Protection District #1 (Fire Protection Districts

- & Emergency Medical Service)
- Fire Protection District #5 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #6 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #8 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #11 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #12 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #15 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #16 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #18 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #20 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #21 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #22 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #25 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #26 (Fire Protection Districts & Emergency Medical Service)
- Fire Protection District #27 (Fire Protection Districts & Emergency Medical Service)
- Metropolitan Park District of Tacoma
- Port of Tacoma
- Town of Carbonado (Cities/Towns)
- White River School District #416

O'Malley moved approval of the Consent Agenda; motion seconded and passed on a roll call vote of four to zero (Moss was excused from the meeting).

**VI. MESSAGES FROM EXECUTIVE/JUDGES/PROSECUTING ATTORNEY - None**

**VII. PROCLAMATIONS, AWARDS, AND/OR APPOINTMENTS TO BOARDS AND COMMISSIONS**

**PROPOSAL NO. R2002-131, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AMENDING RESOLUTION NO. R2001-23, THE APPOINTMENT OF DAVID N. BOYD TO THE PIERCE COUNTY HOUSING AUTHORITY, BY CHANGING THE TERM EXPIRATION DATE FROM FEBRUARY 28, 2006, TO FEBRUARY 28, 2005.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Weber stated this Resolution is being requested by the Executive's office to comply with Pierce County Code and State regulations, and stagger the terms of the members.

The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of four to zero.

**PROPOSAL NO. R2002-132, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CONFIRMING THE REAPPOINTMENT OF TWO EXISTING MEMBERS, AND THE APPOINTMENT OF ONE NEW MEMBER, TO THE FREDERICKSON ADVISORY COMMISSION. (JAMES HIGBEE, ERIC ELLISON, AND BETTY M. GOODROW)**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

The Chair thanked the members for volunteering to serve on the Frederickson Advisory Commission. The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of four to zero.

**VIII. ORDINANCES**

**PROPOSAL NO. 2002-94s, AN ORDINANCE OF THE PIERCE COUNTY COUNCIL ADOPTING A NEW CHAPTER 18I.35, "RIGHT TO FARM PROTECTIONS", TO SUPPORT AND ENCOURAGE CONTINUED AGRICULTURAL OPERATIONS IN PIERCE COUNTY; AND ADOPTING FINDINGS OF FACT.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Mike Erkkinen, Planning and Land Services Department, provided an overview of the Right to Farm Ordinance, stating that the Council had previously through adoption of a Resolution in 2001, requested the Farming Advisory Commission to develop legislation, and this Proposal is a result of that request. Erkkinen reviewed with Council Exhibit "A" stating the Proposal had been heard by the Pierce County Planning Commission, it was then forwarded to the Council in June, and received public hearings in Committee.

Public Testimony

Dick Karkner, Chair of the Farming Advisory Commission, urged Council's adoption, stating this Ordinance would be a good tool for educating the community on the value of farming and

agriculture activities.

Cheryl Ouellette, Member of the Farming Advisory Commission, thanked the Council for their support and concern for farmers. She stated this will be an asset to the community.

Roxy Giddings spoke in support of the Ordinance, stating homegrown produce is of great benefit.

Catherine Rudolph had a concern regarding page 3 of Exhibit "A" and the disclosure requirements.

Chris Wilcox thanked the Council for their support of farmers and agriculture interests.

The Proposal passed as substituted on a roll call vote of four to zero.

#### **IX. RESOLUTIONS**

**PROPOSAL NO. R2002-118s, A RESOLUTION OF THE PIERCE COUNTY COUNCIL ACKNOWLEDGING RECEIPT OF THE CITIZENS ADVISORY BOARD'S RECOMMENDATIONS FOR FUNDING THE PURCHASE OF CONSERVATION FUTURES PROPERTIES; AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO NEGOTIATE THE PURCHASE OF CONSERVATION FUTURES PROPERTIES; AND AUTHORIZING THE DIRECTOR TO EXPEND FUNDS FOR THE PURCHASE THEREOF.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

#### Staff Testimony

Grant Griffin, Parks and Recreation Services Department, provided an overview of the Conservation Futures process, and how the tax levy was created to fund the purchase of eligible properties. He stated the recommendations from the Citizens' Advisory Board are listed in order of preference in Exhibit "A", and that the Council acknowledges that order of preference.

#### Public Testimony

George Hess thanked the Council for their continued support of the Conservation Futures program, suggesting temporary changes to acknowledge the change in our economy. He stated that certain properties could be used as truck farms and victory gardens, such as is being done at the Guadalupe House in Tacoma.

Fred Tobiason thanked the Council for their continued support

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of the Conservation Futures program.

Tammy Clark spoke in support, specifically of the Nachez Trail project.

Joan and Stan Cross spoke in support of approval of their property to protect the natural habitat for future generations.

Larry Volland spoke in support of protecting land and habitat for future generations, such as was done with the Orange Gate property near the Waller Road community.

Margaret Golden spoke in support of the recommendations referred to Council, especially protection of salmon habitat along Clover Creek.

The Proposal passed on a roll call vote of four to zero.

**PROPOSAL NO. R2002-121, A RESOLUTION OF THE PIERCE COUNTY COUNCIL AUTHORIZING THE PIERCE COUNTY EXECUTIVE TO EXECUTE THE JOINT RECREATION AGREEMENT BETWEEN PIERCE COUNTY AND PUYALLUP SCHOOL DISTRICT NO. 3 FOR DEVELOPMENT AND JOINT USE OF PUBLIC PARK AND ATHLETIC TEACHING STATIONS.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Goings announced that a copy of the Exhibit was not provided for the public; however, if anyone wished to review it, the Clerk or other Staff could provided a copy.

Staff Testimony

Jan Wolcott, Director of Parks and Recreation Services Department, spoke in support of the Resolution, stating that members of the community would benefit from this agreement between Pierce County and Puyallup.

Public Testimony

Rudy Fyles, Puyallup School District, stated this program had been adopted unanimously by the School Board, and stated it is unanimously supported. Goings stated it is a visionary agreement, and in response to Goings' question, Long stated it is appropriate for Zoo Trek tax dollars to be used in these types of endeavors, and remain within the intent of the Statute.

Dave Morrell, Chair of the Parks and Recreation Advisory Board, complimented the County on their ability to develop parks while other jurisdictions are having to close parks.

The Proposal passed on a roll call vote of four to zero.

**PROPOSAL NO. R2002-133, A RESOLUTION OF THE PIERCE COUNTY COUNCIL CALLING FOR AN ELECTION ON FEBRUARY 4, 2003, FOR THE PURPOSE OF SUBMITTING TO THE AFFECTED VOTERS THE DETERMINATION OF WHETHER OR NOT CERTAIN TERRITORY IN UNINCORPORATED PIERCE COUNTY, LOCATED ADJACENT TO THE CURRENT CITY LIMITS OF SUMNER, SHOULD BE ANNEXED TO AND BECOME A PART OF THE CITY OF SUMNER; AND REQUESTING THAT THE PROSECUTING ATTORNEY WRITE AN APPROPRIATE BALLOT TITLE.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Weber stated this is an annexation that is being requested through the election method. He stated the boundary review period has expired, and the City has passed an Ordinance indicating its desire to have an election date of February 4, 2003. The matter is now before the County Council to call for that election.

The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of four to zero.

**PROPOSAL NO. R2002-135, A RESOLUTION OF THE PIERCE COUNTY COUNCIL URGING THE WASHINGTON STATE LEGISLATURE TO AMEND REVISED CODE OF WASHINGTON 84.36.381, BY INCREASING THE PROPERTY TAX EXEMPTION FOR SENIOR CITIZENS TO REFLECT INFLATION; AND ADDING AN ANNUAL COST-OF-LIVING ADJUSTMENT PROVISION.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Wimsett stated he had requested this Resolution to bring the property tax exemption for senior citizens to a point that would reflect inflation, and it would also insert a cost-of-living adjustment provision for future years.

Brown pointed out that the exemption would also apply to handicapped individuals.

The Chair called for public testimony; there was no response. The Proposal passed on a roll call vote of four to zero.

**PROPOSAL NO. R2002-136, A RESOLUTION OF THE PIERCE COUNTY COUNCIL APPROVING FIRST NIGHT TACOMA-PIERCE COUNTY'S PLAN FOR FIRST NIGHT SATELLITE 2003 EVENT TO SATISFY A BUDGET PROVISIO CONTAINED IN ORDINANCE NO. 2001-86S3.**

O'Malley moved adoption; motion seconded. The Clerk read the title into the record.

Staff Testimony

Weber explained this Resolution is before the Council as a part of a Budget proviso. He stated the First Night Satellite 2003 plan was presented to the Council's Committee of the Whole.

Public Testimony

Lawrence Huffings, First Night/Tacoma-Pierce County, stated the satellite event would be a presentation at Spana-Park Senior Center, in the Spanaway area.

The Proposal passed on a roll call vote of four to zero.

**X. OTHER BUSINESS/ANNOUNCEMENTS**

1. Presentation on the Mid Counties Community Plan -- Brynn Brady, Planning and Land Services Department. A copy of Brady's presentation is contained in the Clerk's meeting file.

**XI. GENERAL PUBLIC COMMENTS - None**

**XII. ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:35 p.m.

Attest:

Gerri Johnson, Clerk of the Council

Approved:

\_\_\_\_\_  
Councilmember Harold Moss, Council Chair

Date Approved